

NO. 22-CCV-070378

RICHARD P. JONES &	§	IN THE COUNTY COURT
MICHAEL JOSEPH BITGOOD	§	
A/K/A/ “Michael Easton”	§	
LEWIS BRISBOIS BISGAARD &	§	
SMITH, LLP ¹	§	
	§	
VS.	§	AT LAW NO. THREE (3) OF
	§	
KARINA MARTINEZ,	§	
MARIANNA SULLIVAN,	§	
IMPERIAL LOFTS, LLC	§	
DAVID OUBRE ² &	§	
CHINASA OGBUREKE ³	§	FORT BEND COUNTY, TEXAS

**PLAINTIFFS’ THIRD AMENDED PETITION
FOR DECLARATORY RELIEF AND APPLICATION FOR
TEMPORARY INJUNCTION PENDING TRIAL**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW Richard P. Jones and Michael Joseph Bitgood, a/k/a/ “Michael Easton” as well as Lewis, Brisbois, Bisgaard & Smith LLP, from hereinafter Plaintiffs, who bring this suit against Karina Martinez, Marianna Sullivan, Imperial Lofts, LLC, David Oubre, and Chinasa Ogbureke, and in support they would show as follows:

¹See TRCP 37 and 39.

²See TRCP 37 and 39.

³See TRCP 37 and 39.

I. JURISDICTION, VENUE, AND DISCOVERY LEVEL

1. All natural Plaintiffs are residents and citizens of Fort Bend County, Texas. Lewis Brisbois Bisgaard & Smith, LLP, is a domestic LLP formed under the laws of, and registered with, the Texas Secretary of State, with its principal offices in Fort Bend County, Texas.

2. Defendants Martinez and Sullivan are individuals who are residents of, and who do business in Fort Bend County, Texas.

Imperial Lofts, LLC, is an entity authorized to do business in Texas, located and doing business in Fort Bend County, Texas. David Oubre, and Chinasa Ogbureke, on behalf of Martinez, Sullivan, and Imperial conduct business in Fort Bend County, Texas using the Plaintiff LLP's name in an illegal and unauthorized manner reasonably calculated to create mass confusion and damage Plaintiff LLP.

3. Venue is proper in Fort Bend County, Texas, based on Tex. Civ. Prac. & Rem. Code Ann. §15.017.

4. This Court also has subject matter jurisdiction over the claims raised by Plaintiffs, in that all or part of the torts and crimes alleged in this petition occurred in Fort Bend County, Texas.

5. Plaintiffs intend that Discovery Level III apply in this case.
6. The amount in controversy at the time of the filing of this petition exceeds the minimal amount required by law, and does not, at this time, exceed the maximum jurisdictional limits of this Court exclusive of interest, attorney's fees, and punitive damages.⁴

II. CITATIONS AND SERVICE

7. Defendants Karina Martinez, Marianna Sullivan, and Imperial Lofts, LLC, have appeared and are before the Court.
8. Defendant David Oubre may be served at his place of business at 24 Greenway Plaza, Suite 1400, Houston, Texas 77046. The Clerk is requested to issue one citation for David Oubre for service by private process server.
9. Defendant, Chinasa Ogbureke, may be served at her place of employment at 24 Greenway Plaza, Suite 1400, Houston, Texas 77046, for service by private process server.

⁴ Because criminal conduct as defined by the laws of this state and the laws of the United States was committed by the Defendants, the statutory cap on punitive damages does not apply.

III. BACKGROUND FACTS

10. “Nolan Red” is a real estate company/corporation, well, sort of.

The Secretary of State shows no corporate charter nor authorization for a company named “Nolan Red” to do business in Texas. Nolan’s latest iteration for the purposes of fraud is NRES Holdings.

11. The closest–named entity found at the Texas Secretary of State is “Nolan Real Estate Services, Inc.,” which currently has no right to do business in Texas.

12. Nolan Real Estate Services, Inc., forfeited its right to do business in Texas after acquiring a series of residential apartment complexes then failing to follow Texas law and pay its taxes.

13. To get around that slight issue, Nolan Red retained and used the commercial services of Hoover Slovacek to assist them in perpetrating various frauds, crimes, and torts against not only the State of Texas, but also unsuspecting past tenants, potential tenants, and of course, the Courts of the State of Texas.

14. As part and parcel to these continuing and never-ending circular frauds, Hoover Slovacek apparently directs and advises the other Defendants in this case on how to illegally conceal their true identity, and appear in court as non-entities with no standing to sue the unsuspecting and gullible citizen so that the citizen is left with no recourse.

15. Hoover Slovacek also appears to stand by while the Defendants engage in criminal conduct, fraud, and directly retaliate against anyone who dares to question this very profitable, and very illegal, relationship.

16. As just one recent example, Plaintiffs would show that from February 1, 2018, up until December 17, 2021, Imperial Lofts LLC, using the trade name or moniker “Imperial Lofts,” brought and prosecuted no less than seven fraudulent eviction petitions with no legal standing to do so.

17. Of those seven or so petitions, Plaintiffs were the victims of this scam, where Hoover Slovacek was on the opposing side.

18. To carry out the process of protecting the true corporate criminal, Nolan Real Estate, Hoover Slovacek apparently directed Nolan Red's low-level minions, Karina Martinez and Marianna Sullivan, to engage in actions which constitute criminal conduct, including, but not limited to:

- a. Tampering with governmental records;
- b. Suborning and committing perjury to illegally invoke the jurisdiction of the Courts of Fort Bend County;
- c. Fraudulently billing Fort Bend County under the CARES ACT, commonly known as the Rental Assistance Program;
- d. Directing its minions to also extort tenants for non-existent fees; and
- e. Threaten with swift and very illegal court actions, anyone who would stand up to Sullivan or Martinez, their thefts, or, dare to complain about Nolan and its fictitious and non-existent entities.

19. After Defendants were discovered to be perpetrating these crimes and frauds upon not only the Plaintiffs, but also upon the integrity of the Courts, they doubled down on December 17, 2021, after being challenged. Hoover Slovacek apparently told Nolan Red to immediately file an assumed name certificate outside of Fort Bend County so that it

would not be readily located, under the mistaken belief that this fraudulent filing with the Secretary of State was going to somehow wipe clean their frauds, felonies, and the torts inflicted on Plaintiffs.

20. Plaintiffs would further show that Martinez and Sullivan, with the apparent blessing of Hoover Slovacek

- a. invaded the privacy rights of Plaintiffs;
- b. haled them into court with no standing to do so; and
- c. committed felony offenses to intimidate and silence the Plaintiffs;
- d. procured unfounded criminal charges against Easton; and,
- e. schemed to procure unfounded charges against Jones using Edmunds' creative "default;" and
- f. contracted with, and aided, abetted, and encouraged Oubre, and Ogbureke to file pleadings and papers in the Courts of Fort Bend County, Texas, using the Plaintiffs' LLP—an act they were not authorized to do—as the name Lewis Brisbois belongs to the Plaintiff LLP, not the defendants or their co-conspirators, as seen by Exhibit "A" annexed hereto and duly incorporated herein by reference, an initial assumed name filing in Fort Bend County, Texas, that was later followed up with an LLP formation with the same name.

21. Plaintiffs seek a declaration from the Court, by way of jury charge, under Chapter 37 of the Texas Civil Practice and Remedies Code that the Defendants have engaged in a scheme and plan and have conducted an enterprise directed at concealing Nolan Red's true identity, stolen the identity of Plaintiff, the domestic LLP, to carry out and execute a scheme to defraud the taxpayers as well as the State of Texas, which has visited harm—not only on these Plaintiffs—but also on countless, otherwise law-abiding citizens. Clearly, there cannot be a Plaintiff named Lewis, Brisbois, Bisgaard & Smith LLP (from hereinafter the "Lewis LLP"), and a set of imposters, Oubre and Ogbureke, signing their names to pleadings and documents without the consent of the LLP.⁵ This is tantamount to the Lewis LLP suing itself—something only Brice Beale, from Hoover Slovacek, has managed to accomplish. For these reasons, Plaintiffs seek both a temporary and permanent injunction to enjoin all the defendants from using the Plaintiff LLP's name anywhere in the State of Texas, along with all the proceeds that were billed and collected by the phony Lewis

⁵See Exhibit "B" annexed hereto and duly incorporated herein by reference as if set forth verbatim.

Brisbois since May 26, 2022, along with a declaration that the phony Lewis Brisbois has no partnership, limited or otherwise in the State of Texas.⁶

22. Plaintiffs would show that in at least five cases brought by Martinez and Sullivan before justice of the peace Justin Joyce of Fort Bend Precinct Three (pre–2022, now Precinct 4), evicted the tenants when neither Martinez nor Sullivan—improperly and by felony conduct—purported to invoke the jurisdiction of the court and, when the issue of jurisdiction was raised in at least one case, the justice of the peace essentially stated that was not his concern.

23. Plaintiffs will further show that Sullivan/Martinez and Imperial, with the guidance of Hoover Slovacek, in return for rental concessions and other gifts given to, routinely use, by way of bribery, certain

⁶ By way of clear explanation, the phony Lewis Brisbois voluntarily gave up its right to do business in Texas under that name, when despite repeated warnings from the Secretary of State directed at Oubre, and to its California office to renew, Oubre did nothing, as the Secretary of State allowed him to surrender the name, and allowed the foreign LLP to expire, thereby allowing the domestic LLP to be formed, registered and approved by the Texas Secretary of State. Like any other race in the world, the first to the “finish line” is declared the “winner” by the Secretary of State.

members of the Sugar Land police department to harass, intimidate, and to threaten anyone who opposes them with the threat to procure criminal charges to gain an advantage in any civil action against them, and to divert attention away from the serious felony crimes committed by Martinez and Sullivan, which threaten the core foundation of public integrity. In addition, and, using attorney David Oubre, Martinez and Sullivan set out to interfere with the core functions of the Courts; to press law–enforcement to again charge Easton with a criminal offense; and to use Oubre to make false statements to the Courts so as to conceal the nature and identity of the criminal offenses committed by Martinez and Sullivan.

24. In Easton’s case, on or about January of 2022, and in response to the false narrative being put out by Sullivan and Martinez, Easton responded to an inquiry by Jones’ attorney by sending her an e-mail that discussed the very substance and truth of the matters at Imperial Lofts which also exposed the viciousness of Sullivan, and the mental delusions of Martinez. The e-mail in question was copied to all parties, and all counsel. **More importantly, counsel for Martinez,**

Sullivan, and Imperial–Daniel Edmunds of Hoover Slovacek—took the email and filed it, thereby making it a matter of public record and placing into dispute a flurry of matters that no one would have ever placed in the pleadings or made public.

25. On or about January of 2022, Madam Sullivan, with the assistance of Edmunds, induced another of her submissives at the Sugar Land Police Department to initiate a criminal charge against Easton for an alleged violation of *Tex. P. Code 42.07*, **with Edmunds detailing and making the charge public in the pleadings**, while the City of Sugar Land was resisting all attempts to confirm it, and to initiate an internal affairs complaint.

26. In Jones' case, and after Jones prevailed in the illegal eviction scheme, Madam Sullivan, and Edmunds, then manufactured a default so that they could once again evict Jones, and then have their submissives at the Sugar Land Police Department arrest and file on Jones for the offense of criminal trespass under *Tex. P. Code 30.05 (a) (2)*.

IV. CAUSES OF ACTION

27. The foregoing conduct constitutes the torts of invasion of privacy, breach of contract, fraud, abuse of process, criminal retaliation, civil conspiracy, malicious prosecution, intentional infliction of emotional distress, theft, and in Jones' case it is particularly grounded in a racial animus, as Sullivan her counsel continue to harass and threaten Jones with more illegal action if he fails to capitulate to the will of the Defendants.

PRAYER FOR RELIEF

WHEREFORE PREMISES CONSIDERED, Plaintiffs pray that judgment be rendered in their favor for all actual damages, attorney's fees, pre- and post-judgement interest, and punitive damages as the conscience of the good citizens of Fort Bend County will allow. In addition under Chapter 37, Plaintiffs pray for declaratory relief as set forth above. Plaintiffs pray for general relief.

Respectfully submitted,

/s/Michael Joseph Bitgood

a/k/a/ Michael Easton
d/b/a/ "Michael Easton"
503 FM 359, Suite 130-220
Richmond, Texas 77406
281-415-8655
281-832-634-4718 (Fax)
EastProLaw@msn.com

/s/ Susan C. Norman

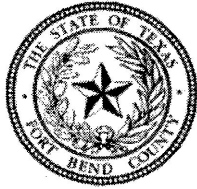
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SueNorman@SueNormanLaw.com
Counsel for Richard P. Jones &
Lewis Brisbois Bisgaard & Smith,
LLP, a Texas Domestic Partnership.

CERTIFICATE OF SERVICE

On June 15, 2022, I certify that I served a true and correct copy of Plaintiffs' Amended Petition via the Texas e-filing system.

/s/ Susan C. Norman

Susan C. Norman

**ASSUMED NAME CERTIFICATE FOR CERTAIN UNINCORPORATED PERSONS**

CERTIFICATE OF OWNERSHIP FOR BUSINESS OR PROFESSION

NOTICE: THIS CERTIFICATE OF OWNERSHIP PROPERLY EXECUTED IS TO BE FILED IMMEDIATELY
WITH THE COUNTY CLERK AS PROVIDED BY LAW.**LAURA RICHARD**

COUNTY CLERK, FORT BEND COUNTY, TEXAS

301 JACKSON, RICHMOND, TEXAS 77469-3108 | (281) 341-8685

ASSUMED NAME under which the business or professional service is or is to be conducted (print clearly): Business and Commerce Code § 71.052 (1)
Lewis Brisbois Bisgaard & Smith

ADDRESS OF BUSINESS (print clearly):Address: 503 FM 359-130, Suite 116City: Richmond State: Texas Zip Code: 77406-2195The period, not to exceed (10) years, during which the assumed name will be used is 10 years. BCC § 71.052 (3)

I hereby state that this registrant is: (Mark appropriate box.)

- ☒ **AN INDIVIDUAL.** Below is my full name and residence address. BCC § 71.052 (2) (A)
- ☐ **A PARTNERSHIP.** Below is the name and office address of the venture or partnership; the full name of each joint venture or general partner; and each joint venturer's or general partner's office address, if the venture or partner is not an individual. BCC § 71.052 (2) (B)
- ☐ **AN ESTATE.** Below is the name and address (if any) of the estate; the full name of each representative of the estate; and each representative's residence address if the representative is an individual, or the representative's office address, if the representative is not an individual. BCC § 71.052 (2) (C)
- ☐ **A REAL ESTATE INVESTMENT TRUST.** Below is the name and address of the trust; the full name of each trustee manager; and each trustee manager's residence address, if the trustee manager is an individual, or the trustee manager's office address, if the trustee manager is not an individual. BCC § 71.052 (2) (D)
- ☐ **COMPANY OTHER THAN A REAL ESTATE INVESTMENT TRUST.** Below is the name and office address of the company. The state, country, or other jurisdiction under the laws of which this company was organized is _____ BCC § 71.052 (2) (E)

and further state that this registrant is not a limited partnership, limited liability company, limited liability partnership, or foreign filing entity. BCC § 71.052 (4)

Is any registrant a military veteran? ☒ No ☐ Yes If yes, please provide military identification.**Information required as listed above (print clearly):**

NOTE: SIGNATURE(S) MUST BE SIGNED IN FRONT OF A NOTARY OR DEPUTY CLERK

Name: Michael Joseph Bitgood Signature: [Signature]Address: 510 Little River Court, Richmond, Texas 77406

Name: _____ Signature: _____

Address: _____

Name: _____ Signature: _____

Address: _____

Name: _____ Signature: _____

Address: _____

Name: _____ Signature: _____

Address: _____

For registrant of a partnership, estate, real estate investment trust, or company other than real estate investment trust, please print name below signature line.

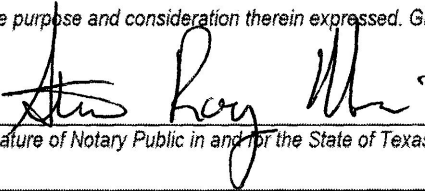


FOR USE BY NOTARY AND CLERK OF THE COURT, DEPUTY. The State of Texas and County of Fort Bend:

Before me, the undersigned authority, on this day personally appeared:

Michael Joseph Bitgood

known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he/she/they signed the same purpose and consideration therein expressed. Given under my hand and seal of office, on APRIL 29, 2022


Signature of Notary Public in and for the State of Texas or Clerk of the Court, Deputy

Seal of the Notary Public or Clerk of the Court, Deputy

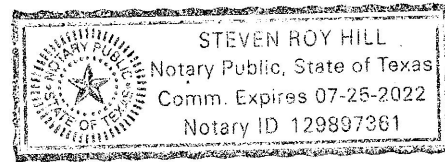
INFORMATION WHERE DOCUMENT SHOULD BE RETURNED
(to be completed by applicant):

In the spaces below, clearly print the name, address, city, state, and zip code where this document should be returned

Michael Joseph Bitgood

503 FM 359-130, Suite 116

Richmond, Texas 77406-2195



Form of identification presented: Texas Driver's License

RETURNED AT COUNTER TO:

SUSAN NORMAN
P.O. BOX 55585
HOUSTON, TX 77255

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Laura Richard, County Clerk

Fort Bend County Texas


May 02, 2022 09:38:18 AM

FEE: \$14.00 AMS

2022059615



EXHIBIT B

Form 701 Secretary of State P.O. Box 13697 Austin, TX 78711-3697 FAX: 512/463-5709 Filing Fee: See Instructions	 Registration of a Limited Liability Partnership	Filed in the Office of the Secretary of State of Texas Filing #: 804584868 05/26/2022 Document #: 1151816630002 Image Generated Electronically for Web Filing
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1. The name of the partnership is:
Lewis Brisbois Bisgaard & Smith, LLP

2. The partnership is a: **general partnership.**

3. A. ☒ The federal employer identification number is **882509410**
 B. ☐ The partnership has not obtained a federal employer identification number at this time.

4. The street address of the partnership's principal office in this state or outside of this state, as applicable, is
503 FM 359-130, Suite 116, Richmond, TX, USA 77406-2195

5. The number of partners in the partnership at the date of the application is **2**.

6. The partnership's business is:
Mediation and related services.

Effectiveness of Filing
<input checked="" type="checkbox"/> A. This document becomes effective when the document is filed by the secretary of state. <div style="text-align: center; padding: 5px 0;">OR</div> <input type="checkbox"/> B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is:

Execution
The undersigned person or persons sign this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument. Date: <u>May 26, 2022</u> <div style="text-align: right; padding-right: 50px;"> <u>Michael Bitgood</u> Signature(s) of a majority-in-interest of the partners, or by one or more of the partners authorized by a majority-in-interest. </div>
FILING OFFICE COPY